

Permit Class  
**EMERGENCY**

Permit Number  
**103-11**

STATE OF NORTH CAROLINA  
Department of Environment and Natural Resources  
and  
Coastal Resources Commission

# Permit

for

☒ Major Development in an Area of Environmental Concern  
pursuant to NCGS 113A-118

☒ Excavation and/or filling pursuant to NCGS 113-229

Issued to **N.C. Department of Transportation, 113 Airport Drive, Suite 100, Edenton, NC 27932**

Authorizing development in Dare County at Atlantic Ocean, NC 12 north of Rodanthe

, as requested in the permittee's application dated 9/2/11 including attached

workplan drawings (3): 1 dated 9/2/11, and 2 dated 9/1/11, Description of Work dated 9/2/11 and AEC Hazard Notice dated 9/2/11.

This permit, issued on **September 2, 2011**, is subject to compliance with the application (where consistent with the permit), all applicable regulations, special conditions and notes set forth below. Any violation of these terms may be subject to fines, imprisonment or civil action; or may cause the permit to be null and void.

## **Emergency Response**

- 1) Unless specifically altered herein, this permit authorizes filling, roadway reconstruction, slope -stabilization sandbags, and dune reconstruction activities, all as depicted on the attached workplan drawings. Any other development activities may require additional authorization.
- 2) This Permit does not authorize any development activities outside of NCDOT right of way unless easements or similar legal instruments are first obtained from all property owners where the authorized work is to take place.
- 3) All fill material, including that used to fill the slope-stabilization sandbags, shall be clean and free of any pollutants, except in trace quantities.

### **(See attached sheet for Additional Conditions)**

This permit action may be appealed by the permittee or other qualified persons within twenty (20) days of the issuing date. An appeal requires resolution prior to work initiation or continuance as the case may be.

This permit must be accessible on-site to Department personnel when the project is inspected for compliance.

Any maintenance work or project modification not covered hereunder requires further Division approval.

All work must cease when the permit expires on

**April 30, 2015**

In issuing this permit, the State of North Carolina agrees that your project is consistent with the North Carolina Coastal Management Program.

Signed by the authority of the Secretary of DENR and the Chairman of the Coastal Resources Commission.



James H. Gregson, Director  
Division of Coastal Management

This permit and its conditions are hereby accepted.

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Signature of Permittee

**ADDITIONAL CONDITIONS**

- 4) Only beach quality sand shall be utilized for dune reconstruction purposes.
- 5) Any reconstructed dunes shall be planted with appropriate vegetation as soon as possible after project completion.
- 6) All work shall be accomplished in such a manner that damage to existing vegetation is minimized.
- 7) Any waste materials or debris generated in the demolition and removal of the existing roadway, including exposed, damaged or remnant pavement, shall be disposed of at an approved upland site or shall be recycled in an environmentally appropriate manner provided appropriate authorizations from any relevant state, federal, or local authorities are obtained.

**General**

- 8) The permittee shall obtain any necessary authorizations or approvals from the U.S. Army Corps of Engineers prior to initiation of the permitted activity.
- 9) Nothing in this State Permit should be construed as overriding or superceding any U.S. Army Corps of Engineers permit requirement or condition.
- 10) This permit does not eliminate the need to obtain any additional state, federal or local permits, approvals or authorizations that may be required, including any approvals that may be required for the use of the proposed borrow area(s).

**NOTE:** The permittee is advised that the Coastal Area Management Act and the rules of the Coastal Resources Commission prohibit the use of permanent erosion control structures within the Ocean Hazard Area of Environmental Concern.